



# FACILITY COMPLIANCE AUDIT REPORT

## Division of Waste Management Solid Waste Section

**UNIT TYPE:** (check all that apply to this audit with same Permit number)

Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		<b>COUNTY: BURKE</b> <b>PERMIT NO.: 12-03</b> <b>FILE TYPE: Compliance</b>
Closed MSWLF	<input checked="" type="checkbox"/>	HHW		White goods		Incin		T&P		FIRM		
CDFL	<input checked="" type="checkbox"/>	Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF		

Date of Audit: 9/19/12

Date of Last Audit: 7/09/12

**FACILITY NAME AND ADDRESS**

Active C&D over Closed MSW Land Fill – Johns River Facility  
2500 Marsh Trail Rd.  
Morganton, NC 28680

**GPS COORDINATES:** (Decimal Degrees) **N: 35.78227°** **E: -81.6916°**

**FACILITY CONTACT NAME AND PHONE NUMBER:**

Greg Watts – Solid Waste Supervisor (828) 439-5246 Cell  
Carson Fisher – General Services Director (828) 430-1777

**FACILITY CONTACT ADDRESS (IF DIFFERENT):**

Bryan Steen – Burke County Manager  
P.O. Box 219  
Morganton, NC 28680

**AUDIT PARTICIPANTS:**

Bill Wagner, Environmental Senior Specialist – DWM Solid Waste Section  
Greg Watts – Landfill Supervisor

**STATUS OF PERMIT:**

- Municipal Solid Waste last received prior to 1/01/98
- Municipal Solid Waste Facility Closed in accordance with 15A NCAC .1627
- An active C&D landfill (also covered by Permit 12-03) is in operation on top of the closed MSW landfill.

<b>MSWLF FACILITY PERMIT NO: 12-03</b>	<b>ISSUANCE DATE</b>	<b>DIN No.</b>
Original Permit 12-03: MSWLF:	April 16, 1987	N/A
Transition Plan (Closure Plan for the MSW included)	April 9, 1994	N/A
Modification to Transition Plan: 3 Acre C&D Unit Area	January 7, 1998	N/A

**FACILITY HISTORY:**

The Johns River Municipal Solid Waste (MSW) Landfill is an un-lined landfill owned by Burke County. The original permit (12-03) for this facility was issued on April 16, 1987. The MSW facility was closed on December 31, 1997 in accordance with the requirements in 15A NCAC 13B .1627.

An *Assessment Monitoring Program* for exceedances of the groundwater standards began in August 1995. A *Corrective Action Program* was initiated in August 2003. A *Corrective Action Plan (CAP)* to restore groundwater quality, consisting of *monitored natural attenuation (MNA)* in conjunction with *phytoremediation* was approved in January 2009.

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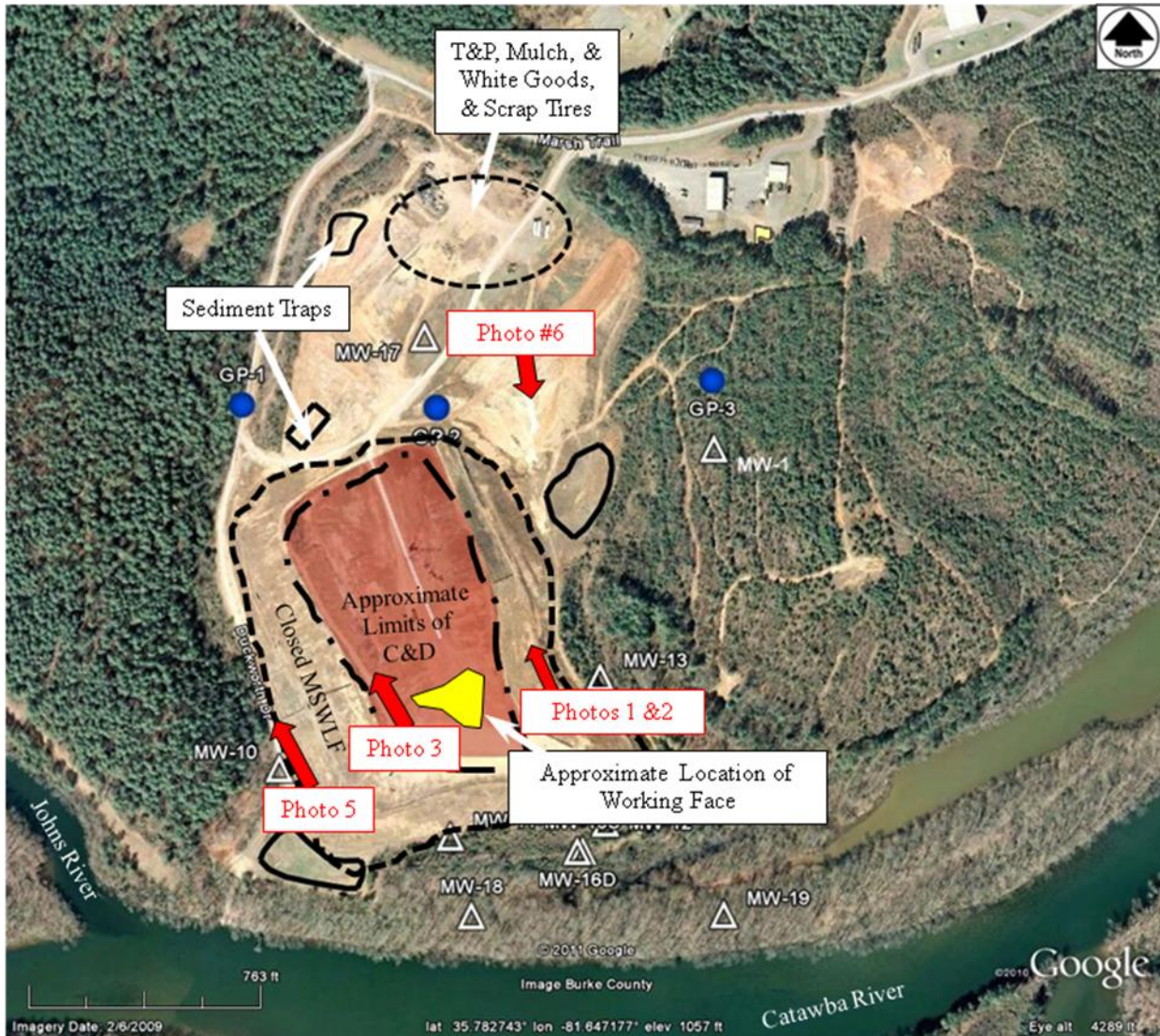
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**PURPOSE OF AUDIT:**

Follow-up compliance audit.

**OBSERVED VIOLATIONS:**

None.



Map 1: Burke Co. GIS - Active C&D Landfill on top of Closed MSW 12-03 Site Map  
(Red Arrows → Denote Photo Perspective)

**STATUS OF PAST NOTED VIOALTIONS:**

Violations Observed on May 19 and May 21, 2012.

1. **CORRECTIVE ACTIONS IN PROGRESS: 15A NCAC 13B .0534(b)(2)(C)** for the failure to furnish to the Division, upon request, a written plan, with time lines, for correcting violations of failing to operate the facility in accordance with the operations plan as required by 15A NCAC 13B .0544(b)(2). At the request of Burke County, the Solid Waste Section is working with the County to develop a written plan for correcting violations.
2. **RESOLVED: 15A NCAC 13B .1627(d)(1)(A)** for failure to maintain the integrity and effectiveness of the [closed MSW landfill] cap system, by making repairs to the cover as necessary to correct the



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effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from eroding or otherwise damaging the cap system.” (Photos #1 through #3)

**STATUS OF PAST NOTED VIOLATIONS:**

Violations Observed on July 9, 2012.

1. **CORRECTIVE ACTIONS IN PROGRESS: 15A NCAC 13B .0542(f)(2)** for the failure to maintain a vegetative ground cover or other stabilizing material on the northern and western slopes of the C&D landfill which have not received wastes within the past three months, nor has final termination of disposal operations occurred in this area. Burke County has re-shaped the slopes of the C&D and the MSW landfills where needed; installed berms and surface water collection piping where needed and Burke County has begun hydro-seeding the slopes of the landfills. (Photos #1 through #3 and #6 )

**NOTE:** Burke County must ensure that those areas of the landfill which will not have additional wastes placed on them for three months or more, but where final termination of disposal operations has not occurred, must be covered and stabilized with vegetative ground cover or other stabilizing material.”

The item(s) listed above were observed by Section Staff and require action on behalf of the facility in order to come into compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. For the violation(s) noted here, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

**AREAS OF CONCERN AND COMMENTS:**

1. Hours of operation: M-F: 7AM – 4PM Sat: 7AM – 1PM
2. No areas of exposed C&D waste were observed. (This has been a problem in the past.)
3. All access roads are well maintained and passable. (Photos #2).
4. The facility's wood waste grinder is down for repairs.



1. Looking N down the recently reworked and reseeded east side of the closed MSW landfill. (Photo taken on 9/19/12)



2. Looking north at recently reworked and reseeded section of the eastern slopes of the closed MSW landfill. (Photo taken 9/19/12)

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5. The landfill was actively accepting waste during the inspection.
6. No prohibited wastes were observed.
7. The C&D landfill is currently accepting approximately 40 to 50 tons of waste per day.
8. Tipping fees are currently: for C&D waste is currently \$32.55 per ton.



3. Looking north along the recently reworked western slopes of the C&D landfill. Photo taken 9/19/12



4. Compactor working the SE quadrant of the working face. Photo taken 9/19/12



5. Looking N down the perimeter stormwater ditch on the west side of the landfill that is filled with silt. Access road is to the left. Photo taken on 9/18/12



6. Looking S down the east side of the landfill. Note the three newly installed surface water collection and diversion pipes. (Photo taken on 9/18/12)

9. Waste screening records were reviewed. Wastes are typically screened once or twice a week. The most recent waste screening records were dated September 14, 2012.
10. The working face was small and well controlled.
11. There is a litter control fence along the top of the eastern edge of the C&D landfill.
12. Windblown litter is very well controlled.
13. The sediment basins are well maintained.

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14. Due to heavy rains over the past two days (approximately 3.5-inches), the perimeter stormwater ditches have accumulated a great deal of remove silt. This silt will need to be removed. (Photo #5)
15. In accordance with 15A NCAC 13B .0542(f)(2), please ensure that areas of the C&D landfill which will not have additional wastes placed on them for three months or more, but where final termination of disposal operations has not occurred, must be covered and stabilized with vegetative ground cover or other stabilizing material.”

Please contact me if you have any questions or concerns regarding this audit report.

  
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Bill Wagner  
Environmental Senior Specialist  
Regional Representative

Phone: 828-296-4705

Delivered on : <u>9/25/12</u> by:		Electronic Mail	<b>X</b>	<b>US Mail</b>		Certified No.
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ec: Mark Poindexter – Field Operations Branch Head, Solid Waste Section  
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